

**ORDINANCE 2017-07**

**ORDINANCE AMENDING FAIRMONT CITY CODE CHAPTER  
26. DEFINITIONS AND SECTIONS 26-152 (e)(2), 26-153(e)(2) and  
26-205 (5) and (9)c REGULATING BUILDING HEIGHT**

**WHEREAS**, building height has not been measured for several years consistent with City Code language, and;

**WHEREAS**, this inconsistency has caused confusion, and;

**WHEREAS**, city staff has evaluated new building height language from other communities and the Minnesota Building Code and presented its findings to the Planning Commission, and;

**WHEREAS**, city staff recommends that the City Code building height language be amended to allow principal structures in the R-1, R-2 and R-2S to be built to a mean roof height of 30 feet and accessory structures be built to a mean roof height of 22 feet.

**NOW THEREFORE THE CITY OF FAIRMONT DOES ORDAIN**, that Fairmont City Code Chapter 26 Zoning be amended as follows:

**ARTICLE 1. IN GENERAL, Sec. 26-1. Definitions.**

*Building height* is the mean roof height, the average of the eave height and the height to the highest point on the roof surface except that for angles less than or equal to 10 degrees, the mean roof height shall be the roof eave height.

~~*Building height* means the vertical distance from the average elevation of the finished lot grade at the front of the building to the highest point of the coping of a flat roof, or the deck line of a mansard roof or to the highest point of a gable, hip or gambrel roof.~~

**ARTICLE III. ZONING DISTRICT REGULATIONS, Sec. 26-152, R-1 Single-family residential district.** (e) *Lot area, floor area, height, lot width and yard requirements.* (2) Except exempted use, no structure shall exceed ~~two (2) stories or twenty five (25)~~ thirty (30) feet in mean roof height.

**ARTICLE III. ZONING DISTRICT REGULATIONS, Sec. 26-153, R-2 One-and two-family district.** (e) *Lot area, floor area, height, lot width and yard requirements.* (2) Except exempted use, no structure shall exceed ~~two (2) stories or twenty five (25)~~ thirty (30) feet in mean roof height.

**ARTICLE III. ZONING DISTRICT REGULATIONS, Sec. 26-163, R-2S One-to four-family district.** (e) *Lot area, floor area, height, lot width and yard requirements.* (2) Except exempted use, no structure shall exceed ~~two (2) stories or twenty five (25)~~ thirty (30) feet in mean roof height.

**ARTICLE IV. GENERAL DEVELOPMNT REGULATIONS, Sec. 26-205 (5).** Accessory buildings or structures in residential districts shall not exceed ~~fifteen (15)~~ twenty-two (22) feet in maximum roof height. Accessory structures in residential zones may be built to a maximum one thousand (1,000) square feet of floor area or ten (10) percent of the lot area whichever is larger to an aggregate accessory structure maximum of three thousand (3,000) square feet of floor area.

**Sec. 26-205 (9) (c)** The accessory building or structure shall not exceed ~~fifteen (15)~~ twenty-two (22) feet in maximum roof height.

Motion by:  
Seconded by:  
All in Favor:  
Opposed:  
Abstained:  
Absent:

PASSED, APPROVED AND ADOPTED, this \_\_\_\_ day of July, 2017

\_\_\_\_\_  
Deborah J. Foster, Mayor

ATTEST:

\_\_\_\_\_  
Patricia J. Monsen, City Clerk

First Reading: July 10, 2017  
Second Reading: July 24, 2017